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OCT 15 2008

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PHONE NO.

DATE October 15, 2008

This is the first page of 24

FROM William B. Vass

LAWYER NO 1217 FILE NO 50319-20

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**MESSAGE**

**Re: U.S. Application No. 10/709,298**  
**Filed: April 27, 2004**  
**First Named Inventor: Simpson, Todd Garrett**

**Attached:** Transmittal Form  
Request for Continued Examination  
Fee Transmittal Form  
Petition for Extension of Time  
Credit Card Payment Form  
Amendment/Reply

WSLegal000850012173539886v1

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PTO/SB/17 (10-08)  
Approved for use through 08/30/2010. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL

### For FY 2009

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1226.00

#### Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 09/709,298            |
| Filing Date          | 27-April-2004         |
| First Named Inventor | SIMPSON, Todd Garrett |
| Examiner Name        | AIRAPETIAN, Mila      |
| Art Unit             | 3625                  |
| Attorney Docket No.  | 50319-20/wbv          |

#### METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 02-2057 Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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#### FEE CALCULATION

##### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 330         | 165                   | 540         | 270                   | 220              | 110                   |                |
| Design           | 220         | 110                   | 100         | 50                    | 140              | 70                    |                |
| Plant            | 220         | 110                   | 330         | 165                   | 170              | 85                    |                |
| Reissue          | 330         | 165                   | 540         | 270                   | 650              | 325                   |                |
| Provisional      | 220         | 110                   | 0           | 0                     | 0                | 0                     |                |

##### 2. EXCESS CLAIM FEES

| Fee Description                                    | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues)            | 52       | 26                    |
| Each independent claim over 3 (including Reissues) | 220      | 110                   |
| Multiple dependent claims                          | 390      | 195                   |

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

52 HP - 20 or HP = 6 x 26 = 156.00

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

3 HP - 3 or HP = 1 x 110 = 110.00

HP = highest number of independent claims paid for, if greater than 3.

##### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets            | Extra Sheets           | Number of each additional 50 or fraction thereof | Fee (\$)        | Fee Paid (\$)   |
|-------------------------|------------------------|--|-----------------|-----------------|
| <u>        </u> - 100 = | <u>        </u> / 50 = | <u>        </u> (round up to a whole number) x   | <u>        </u> | <u>        </u> |

##### 4. OTHER FEE(S)

|   |                |
|---|----------------|
| Non-English Specification, \$130 fee (no small entity discount)   | Fee Paid (\$)  |
| Other (e.g., late filing surcharge): <u>Petition for Extension of Time (3rd Month) + Excess claims fees + ACE</u> | <u>1226.00</u> |

#### SUBMITTED BY

|                   |   |   |                               |
|-------------------|---|---|-------------------------------|
| Signature         |  | Registration No. (Attorney/Agent) <u>36,416</u> | Telephone <u>416-863-1200</u> |
| Name (Print/Type) | <u>William B. Vase, Bennett Jones LLP</u>   |   | Date <u>October 15, 2008</u>  |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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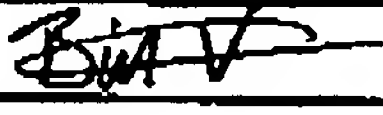
PTO/SB/21 (09-08)


Approved for use through 10/31/2008. OMB 0651-0031  
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|   |                        |                       |
|---|------------------------|-----------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10709,298             |
|   | Filing Date            | 27-April-2004         |
|   | First Named Inventor   | SIMPSON, Todd Garrett |
|   | Art Unit               | 3625                  |
|   | Examiner Name          | AIRAPETIAN, Mlla      |
| Total Number of Pages in This Submission  | Attorney Docket Number | 50319-20/wbv          |

| ENCLOSURES (Check all that apply)   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Request for Continued Examination |
| Remarks   |   |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |          |       |
|--|---|----------|-------|
| Firm Name                                  | Bennett Jones LLP, Customer Number 64691  |          |       |
| Signature                                  |  |          |       |
| Printed name                               | William B. Vass   |          |       |
| Date                                       | October 15, 2008  | Reg. No. | 36416 |

| CERTIFICATE OF TRANSMISSION/MAILING   |   |      |                  |
|---|---|------|------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |   |      |                  |
| Signature   |  |      |                  |
| Typed or printed name   | William B. Vass, Regn. No. 36,416   | Date | October 15, 2008 |

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